

ASSEMBLY BILL

No. 1119

Introduced by Assembly Member Hagman

February 22, 2013

An act to add and repeal Section 3016 to the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

AB 1119, as introduced, Hagman. Postrelease reentry pilot program.

Existing law requires that all persons released from prison on and after October 1, 2011, after serving a prison term for a felony, be subject to postrelease community supervision provided by a county agency for a period of 3 years immediately following release, except for persons released after serving a term for a serious felony, a violent felony, an offense for which the person was sentenced pursuant to the Three Strikes law, a crime where the person is classified as a High Risk Sex Offender, or a crime where the person is required to undergo treatment by the State Department of State Hospitals because the person has a severe mental disorder. Existing law requires these persons to be subject to parole supervision by the Department of Corrections and Rehabilitation following release from state prison. Existing law requires the Secretary of the Department of Corrections and Rehabilitation to establish a parole reentry accountability program, and, subject to the availability of funding, to enter into a memorandum of understanding with the Administrative Office of the Courts for the establishment and operation of reentry court programs for parolees and persons on postrelease community supervision.

This bill would, until January 1, 2018, require the Secretary of the Department of Corrections and Rehabilitation to establish a 3-year

postrelease reentry pilot program, using an existing Sacramento area-based parole reentry program as a model, in 3 additional counties to provide comprehensive, structured reentry services for offenders released from state prison. The bill would require the Counties of San Bernardino, San Joaquin, and San Mateo to participate in the pilot program, and would provide that parolees, persons on postrelease community supervision, and probationers are eligible for participation in the program. The bill would require the secretary to submit a report on the effectiveness of the program for the 3 years of its operation to the Legislature on or before March 1, 2017, and a summary of the report to the Governor and the Legislature outlining the successes of the program. The bill would state the intent of the Legislature to appropriate \$1,200,000 per year per site from the state General Fund for the operation of the program, subject to matching funds from the county, and to appropriate an additional amount for the cost of evaluating the program. By imposing new and additional duties on local agencies in the participating counties, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) The Sacramento Community Based Coalition is an
- 4 innovative, intensive, and integrated program for parolees that
- 5 provides individualized treatment services necessary for a
- 6 successful transition back into the community.
- 7 (2) According to a 2011 report by the Pew Center on the States,
- 8 State of Recidivism – The Revolving Door of America’s Prisons,
- 9 between 2004 and 2007, California had the second highest
- 10 recidivism rate in the United States.

1 (3) Reducing recidivism reduces criminal victimization and the
2 cost to the prison system, courts, and county jails.

3 (4) The annual cost to incarcerate 43 inmates would have funded
4 the Sacramento Community Based Coalition for one year and
5 provided services for 523 parole clients.

6 (5) Only 3.6 percent of graduates of the Sacramento Community
7 Based Coalition returned to prison with a new term and only 8.5
8 percent of clients who participated in the program returned to
9 prison with a new term.

10 (6) The overall rate of recidivism, including parole violation
11 return to custody, of Sacramento Community Based Coalition
12 graduates was 18.8 percent.

13 (7) Key components of the Sacramento Community Based
14 Coalition include an individualized treatment plan and wraparound
15 reentry services, including substance abuse services, job placement
16 and preparation, computer literacy training, GED testing and
17 preparation services, parenting courses, community-based sober
18 living, community service opportunities, family reintegration
19 programs, life skills courses, sexually transmitted disease
20 prevention and education, and gender-specific programming with
21 structured phases for program participants.

22 (8) The Sacramento Community Based Coalition has a goal of
23 reducing the recidivism of participants at least 50 percent.

24 (9) Promising programs should be expanded to other locales so
25 that the effectiveness of the model can be tested.

26 (10) Assisting parolees and those on postrelease community
27 supervision by providing them with structured reentry services,
28 while holding them accountable for compliance with legal and
29 program requirements, and while promoting the elimination of
30 criminogenic attitudes and behaviors, is a smart way to assist them
31 with the transition back to the community consistent with the needs
32 of public safety.

33 (b) Therefore, it is the intent of the Legislature in enacting this
34 act to attempt to replicate the Sacramento Community Based
35 Coalition model in additional counties, to measure the success of
36 the model in reducing recidivism and improving program outcomes
37 for offenders who participate in the program, and to determine
38 whether the program should be further geographically expanded
39 or extended in order to promote better outcomes for parolees and

1 those on postrelease community supervision, lower recidivism
2 rates, and safer communities.

3 SEC. 2. Section 3016 is added to the Penal Code, to read:

4 3016. (a) The Secretary of the Department of Corrections and
5 Rehabilitation shall establish a three-year postrelease reentry pilot
6 program, using an existing Sacramento area-based parole reentry
7 program as a model, in three additional counties to provide
8 comprehensive, structured reentry services for offenders released
9 from state prison.

10 (b) The Counties of San Bernardino, San Joaquin, and San
11 Mateo shall participate in the pilot program established pursuant
12 to subdivision (a). The pilot program shall be operated for a
13 three-year period from January 1, 2014, to December 31, 2017,
14 inclusive.

15 (c) Parolees, persons on postrelease community supervision,
16 and probationers are eligible for participation in the program,
17 except that an offender who has been convicted of, or had a juvenile
18 adjudication for, any crime described in subdivision (c) of Section
19 290 committed against a minor victim is not eligible to participate.
20 Program participants shall be referred by a parole officer or
21 probation officer.

22 (d) Features of the program shall include an individualized
23 treatment plan and wraparound reentry services, including, but not
24 limited to, substance abuse services, job placement and preparation,
25 computer literacy training, GED testing and preparation services,
26 parenting courses, community-based sober living, community
27 service opportunities, family reintegration programs, life skills
28 courses, sexually transmitted disease prevention and education,
29 and gender-specific programming with structured phases for
30 program participants. The program may include other types of
31 rehabilitative programming appropriate for the needs of program
32 participants.

33 (e) The managers and staff of each of the three county programs
34 shall coordinate operations and share insights with each other and
35 with the Sacramento Community Based Coalition.

36 (f) (1) The secretary shall submit a report on the effectiveness
37 of the program for the three years of its operation to the Legislature
38 on or before March 1, 2017, and a summary of the report to the
39 Governor and the Legislature outlining the successes of the
40 program.

1 (2) Each of the three county programs shall submit data to be
2 compiled and included in the report described in paragraph (1)
3 outlining whether, and to what extent, the program accomplished
4 both of the following:

5 (A) Improvement of offender outcomes in terms of acquiring
6 GEDs or other educational certificates.

7 (B) Success in placing program participants in jobs and reduced
8 recidivism. As used in this paragraph, “recidivism” shall be
9 measured by the return to prison rate, the parole or postrelease
10 community supervision violation rate, and conviction rate, and the
11 arrest rate for participants, each measured separately. The program
12 shall employ an evaluator to monitor and compile this information.

13 (3) The report to be submitted pursuant to this subdivision shall
14 be submitted in compliance with Section 9795 of the Government
15 Code.

16 (g) It is the intent of the Legislature to appropriate one million
17 two hundred thousand dollars (\$1,200,000) per year per site from
18 the state General Fund for the operation of the program, subject
19 to matching funds from the county’s Community Corrections
20 Partnership, or other available county funds. The operating costs
21 of the program shall be split between the state and the county,
22 except that the county is responsible for the full cost of probationer
23 participation. The program shall serve 125 to 150 clients, inclusive
24 per site at any given time, and a total of 400 clients throughout the
25 year. It is the intent of the Legislature to appropriate an additional
26 amount for the cost of evaluating the program.

27 (h) This section shall remain in effect only until January 1, 2018,
28 and as of that date is repealed, unless a later enacted statute, that
29 is enacted before January 1, 2018, deletes or extends that date.

30 SEC. 3. If the Commission on State Mandates determines that
31 this act contains costs mandated by the state, reimbursement to
32 local agencies and school districts for those costs shall be made
33 pursuant to Part 7 (commencing with Section 17500) of Division
34 4 of Title 2 of the Government Code.